

RANDY SUE POLLOCK
Attorney at Law (CSBN 64473)
2831 Telegraph Avenue
Oakland, CA 94609
San Francisco, CA 94109
Telephone: (510) 763-9967
Facsimile: (510) 272-0711

Attorney for Defendant
FAUSTINO AGUAYO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ooo

UNITED STATES OF AMERICA,

Plaintiff,

CR. 05-118-MMC
ORDER APPROVING
STIPULATION TO C
STATUS CONFERENCE

VS

FAUSTINO AGUAYO, et al..

Defendants

1

Defendant FAUSTINO AGUAYO, by and through his counsel of record Randy Sue Pollock, and Assistant U.S. Attorney David Hall hereby stipulate and agree that the status conference presently set for Wednesday, January 17, 2007, at 2:30 p.m. be continued until Wednesday, January 31, 2007, at 2:30 p.m.

Assistant U.S. Attorney Counsel Dave Hall has met with all counsel and is in the process of drafting plea agreements as to some of the defendants. A trial date may have to be set as to some of the remaining defendants. Counsel for defendant Aguayo must be out-of-state on a personal matter on January 17th and her client has not agreed to a disposition of the case at this time. Accordingly, it is requested that the matter be

1 continued to January 31, 2007, in order to finalize the plea agreements and to afford
2 counsel for Aguayo additional time to confer with the government in an attempt to
3 resolve the case.

4 The time period from January 17, 2007 to January 31, 2007 would be deemed
5 excludable pursuant to 18 U.S.C. Section 3161(h)(8)(A), given that the ends of justice
6 served by granting a continuance outweigh the best interests of the public and of the
7 defendant in a speedy trial. Additionally, pursuant to 18 U.S.C. Section
8 3161(h)(8)(B)(ii) given the nature of the prosecution, the volume of the evidence, the fact
9 that wiretaps were involved, it is unreasonable to expect adequate preparation for pretrial
10 proceedings and for the trial within the time limits established by the Speedy Trial Act.

11
12
13 Date: January 12, 2007

/s/ Randy Sue Pollock
RANDY SUE POLLOCK
Counsel for Defendant
FAUSTINO AGUAYO
On Behalf Of All Defendants

14
15
16 Date: January 12, 2007

/s/ David Hall
DAVID HALL
Assistant United States Attorney

17
18
19
20 SO ORDERED:

21 January 16, 2007


MAXINE M. CHESNEY
United States District Court Judge